

# **APPENDIX C**

## **Materials Considered**

### **Serta Loan Agreements**

- First Lien Term Loan Guaranty Agreement, dated November 8, 2016
- First Lien Term Loan Pledge and Security Agreement, dated November 8, 2016
- First Lien Term Loan Agreement, dated November 8, 2016
- First Lien/Second Lien Intercreditor Agreement, dated November 8, 2016
- Intercreditor Joinder Agreement, dated November 30, 2018
- Joinder Agreement, dated November 30, 2018
- Open Market Purchase and Cashless Exchange, dated June 22, 2020
- Amendment No. 1 to First Lien Term Loan Agreement, dated June 22, 2020
- Super-Priority Term Loan Agreement, dated June 22, 2020

### **Case Filings**

- *LCM XXII Ltd., et al. v. Serta Simmons Bedding, LLC* Complaint, dated May 4, 2021
- Serta Simmons Bedding, LLC's Motion for Summary Judgment, dated February 24, 2023
- Lender Plaintiffs' Motion for Summary Judgment, dated February 24, 2023

### **Other Materials**

- BELLUCCI, MICHAEL & JEROME MCCLUSKEY, *THE LSTA'S COMPLETE CREDIT AGREEMENT GUIDE* 521 (2d ed. 2017).
- Berlin, Mitchell, Greg Nini & Edinson G. Yu, *Concentration of Control Rights in Leveraged Loan Syndicates*, 137 J. FIN. ECON. 249 (2020).
- Buccola, Vincent S.J. & Greg Nini, *The Loan Market Response to Dropdown and Uptier Transactions* (working paper, June 22, 2022), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4143928](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4143928).
- Sufi, Amir. *Information Asymmetry and Financing Arrangements: Evidence from Syndicated Loans*, 62 J. FIN. 629 (2007).